HONOURABLE SRI JUSTICE K.C. BHANU

W.P.No.22221 of 2001

Dated 5th August, 2005

Between:

M. Siva Kumar, S/o.T. Muthu, aged about
23 years, R/o.4-668, Bound Street, Greamspet,
Chittoor Town and District and another.
.. Petitioners

and

A.P. Power Transmission Corporation, rep. by
its Director, Vidyut Soudha, Hyderabad and others.
.. Respondents

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W.P.No.22221 of 2001

ORAL ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the respondents in rejecting the case of the petitioners for regular appointment to the posts of Sub-Engineers on the ground that there is no documentary evidence to show that the petitioners have worked as contract labourers for availing the benefits under the scheme

contained in B.P.Ms.No.36, dated 18.5.1997 while allowing such benefit to similarly situated contract labourers, as arbitrary and discriminatory.

Heard the learned counsel for the petitioners and the learned standing counsel for the respondents and perused the material placed on record.

The petitioners herein are some of the petitioners in W.P.No.4171 of 2001, which was filed seeking a Mandamus declaring the action of the respondents therein in not issuing appointment orders to the petitioners pursuant to the approved selection list, dated 16.9.2000 which was pasted on the notice board of the 5th respondent therein, as arbitrary and illegal. The said petition was dismissed on the ground that the petitioners herein have not file any objections nor furnished any certificates showing that they have worked as contract labourers.

The relief sought for in the present writ petition is more or less the same as the relief sought for in W.P.No.4171 of 2001. Moreover, the petitioners have not furnished any documentary evidence to show that they worked as contract labourers so as to avail the benefit under the scheme available vide B.P.Ms.No.36, dated 18.5.1997. Despite the fact that the petitioners' case was not considered by this Court in W.P.No.4171 of 2001, dated 13.1.2002, they have field the present writ petition seeking the same relief. Therefore, the writ petition is devoid of merit and hit by the principles of *res judicata*.

Accordingly, the writ petition is dismissed. In the circumstances of the case, there shall be no orders as to costs.

(K.C. BHANU, J.)

5th August, 2005

bcj